



**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

**FILED**

Application of Southern California Edison Company (U 338-E) and San Diego Gas & Electric Company (U 902-E) for the 2015 Nuclear Decommissioning Cost Triennial Proceedings

7-13-16  
Application 16-03-004:20 PM  
(Filed March 1, 2016)

**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION  
AND, IF REQUESTED (and [ ]<sup>1</sup> checked), ADMINISTRATIVE LAW JUDGE'S  
RULING ON THE UTILITY REFORM NETWORK'S SHOWING OF  
SIGNIFICANT FINANCIAL HARDSHIP**

**NOTE:** After electronically filing a PDF copy of this Notice of Intent (NOI), please email the document in an MS WORD format to the Intervenor Compensation Program Coordinator at [Icompcoordinator@cpuc.ca.gov](mailto:Icompcoordinator@cpuc.ca.gov).

<b>Customer (party intending to claim intervenor compensation): The Utility Reform Network</b>	
<b>Assigned Commissioner:</b> Michel Peter Florio	<b>Administrative Law Judge:</b> Maribeth Bushey
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief.	
Signature: /s/	
Date: July 13, 2016	Printed Name: Matthew Freedman

**PART I: PROCEDURAL ISSUES**  
(To be completed by the party ("customer") intending to claim intervenor compensation)

<b>A. Status as "customer" (see Pub. Util. Code § 1802(b)):</b> The party claims "customer" status because the party is (check one):	<b>Applies (check)</b>
1. A <b>Category 1</b> customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers.	<input type="checkbox"/>
In addition to describing your own interest in the proceeding you must show how your participation goes beyond just your own self-interest and will benefit other customers.	

<sup>1</sup> DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

<p>2. A <b>Category 2</b> customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p> <p>A representative authorized by a customer must identify the residential customer(s) being represented and provide authorization from at least one customer. <i>See</i> D.98-04-059 at 30.</p>	<input type="checkbox"/>
<p>3. A <b>Category 3</b> customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation.<sup>2</sup> Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See</i> D.98-04-059, footnote at 3.</p>	<input checked="" type="checkbox"/>
<p>The party's explanation of its customer status must include the percentage of the intervenors members who are residential ratepayers or the percentage of the intervenors members who are customers receiving bundled electric service from an electrical corporation, and must include supporting documentation: (i.e., articles of incorporation or bylaws).</p> <p>TURN is a Category 3 "group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential ratepayers." TURN originally provided the relevant portion of our articles of incorporation in the NOI submitted in A.98-02-017, and again in A.99-12-024. On October 15, 2015, TURN's Board of Directors adopted amendments to TURN's bylaws and articles of incorporation. TURN provided these revised bylaws and articles of incorporation in an amendment to the NOI submitted in A.15-09-001.</p> <p>TURN has approximately 20,000 dues-paying members, of whom we believe the vast majority are residential ratepayers. TURN does not poll our members in a manner that would allow a precise breakdown between residential and small business members, so a precise percentage is not available.</p>	
<p>Identify all attached documents in Part IV.</p>	
<p>Do you have any direct economic interest in outcomes of the proceeding?<sup>3</sup></p> <p>Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p>	

<sup>2</sup> Intervenors representing either a group of residential customers or small commercial customers who receive bundled electric service from an electrical corporation, must indicate in Part I, Section A, Item #4 of this form, the percentage of their members who are residential customers or the percentage of their members who receive bundled electric service from an electrical corporation. The NOI may be rejected if this information is omitted.

<sup>3</sup> See Rule 17.1(e).

If “Yes”, explain:

<b>B. Conflict of Interest (§ 1802.3)</b>	<b>Check</b>
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):</b>	<b>Check</b>
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 6/13/2016	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the party’s NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2a. The party’s description of the reasons for filing its NOI at this other time:	
2b. The party’s information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge’s ruling, or other document authorizing the filing of NOI at that other time:	

**PART II: SCOPE OF ANTICIPATED PARTICIPATION**  
(To be completed by the party (“customer”) intending to claim intervenor compensation)

<b>A. Planned Participation (§ 1804(a)(2)(A)(i)):</b>
<p>· The party’s statement of the issues on which it plans to participate.</p> <p>TURN anticipates focusing on the reasonableness of the revised Decommissioning Cost Estimate for the San Onofre Nuclear Generating Station (Units 1, 2, and 3) and the revised cost estimate for the Palo Verde Nuclear Generating Station. TURN will also explore the reasonableness of spending on completed projects at SONGS and will propose milestones for the determination of reasonableness with respect to all spending at that facility. TURN may also consider the reasonableness of the trust fund return assumptions proposed by SCE and SDG&amp;E, the status of Department of Energy Litigation and Claims Proceeds, other issues relating to the use of these trust funds for decommissioning purposes, and the proposed revenue requirements to be collected in retail rates.</p> <p>· The party’s explanation of how it plans to avoid duplication of effort with other parties</p>

TURN intends to work with other parties to tailor its participation so that duplication is minimized to the extent practical. TURN's position may be adverse to positions taken by other intervenors. TURN will do its best to minimize potential overlap in issues, to coordinate with the Office of Ratepayer Advocates, and to ensure that where such overlap occurs, each party is presenting a unique analysis.

The party's description of the nature and extent of the party's planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed).

TURN already filed a protest to the application and attended the Prehearing Conference. TURN has participated in the first of a series of workshops devoted to the development of milestones, will continue work with all parties to develop a specific milestone proposal, and expects to submit prepared testimony on disputed factual issues. TURN will participate in evidentiary hearings, to submit briefs, and to prepare other filings needed to be an active party and to advocate for favorable outcomes in the proceeding.

**B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):**

Item	Hours	Rate \$	Total \$	#
<b>ATTORNEY, EXPERT, AND ADVOCATE FEES</b>				
Matthew Freedman	200	\$415	\$83,000	
Bruce Lacy	275	\$395	\$108,625	
Bill Marcus	30	\$265	\$7,950	
<b>Subtotal: \$199,575</b>				
<b>OTHER FEES</b>				
<b>Subtotal: \$</b>				
<b>COSTS</b>				
Consultant travel			\$5,000	
Postage and photocopying			\$250	
Computerized research fees			\$200	
<b>Subtotal: \$5,450</b>				
<b>TOTAL ESTIMATE: \$205,025</b>				

**Estimated Budget by Issues:**

Estimated Budget by Issue (excluding \$2,950 in Direct Costs):

TURN can provide a very rough estimate of the allocation of our estimated costs by issue area.

- Reasonableness of revised SONGS Units 2/3 Decommissioning Cost Estimate (30%)
- Reasonableness of revised SONGS 1 Decommissioning Cost Estimate (5%)
- Reasonableness of revised Palo Verde Decommissioning Cost Estimate (5%)
- Reasonableness of spending on completed projects at SONGS (25%)
- Development of milestones for considering completed projects at SONGS (30%)
- Other trust fund and DOE litigation issues (5%)

Comments/Elaboration (use reference # from above):

The reasonableness of the hourly rates requested for TURN's representatives will be addressed in our Request for Compensation.

The amount of any future request for compensation will depend upon the Commission's ultimate decision in this case, as well as the resources TURN devotes to the case going forward.

*When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at ½ professional hourly rate.*

**PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**  
**(To be completed by party ("customer") intending to claim intervenor compensation; see Instructions for options for providing this information)**

<b>A. The party claims "significant financial hardship" for its Intervenor Compensation Claim in this proceeding on the following basis:</b>	<b>Applies (check)</b>
1. "[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate's fees, expert witness fees, and other reasonable costs of participation" (§ 1802(g)); or	<input type="checkbox"/>
2. "[I]n the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding" (§ 1802(g)).	<input type="checkbox"/>
3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).  Commission's finding of significant financial hardship made in proceeding number:  A.15-03-005  Date of Administrative Law Judge's Ruling (or CPUC Decision) in which the finding of significant financial hardship was made:  ALJ Ruling on August 3, 2015 in A.15-03-005	<input checked="" type="checkbox"/>

**B. The party's explanation of the factual basis for its claim of "significant financial hardship" (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI:**

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC  
ASSERTIONS MADE IN THIS NOTICE**  
(The party (“customer”) intending to claim intervenor compensation  
identifies and attaches documents; add rows as necessary)

Attachment No.	Description
1	Certificate of Service

**ADMINISTRATIVE LAW JUDGE RULING<sup>4</sup>**  
(Administrative Law Judge completes)

	Check all that apply
<b>1. The Notice of Intent (NOI) is rejected for the following reasons:</b>	<input type="checkbox"/>
a. The NOI has not demonstrated the party’s status as a “customer” for the following reason(s):	<input type="checkbox"/>
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	<input type="checkbox"/>
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	<input type="checkbox"/>
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	<input type="checkbox"/>
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	<input type="checkbox"/>
<b>4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):</b>	<input type="checkbox"/>

**IT IS RULED that:**

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer has shown significant financial hardship.	<input type="checkbox"/>

<sup>4</sup> A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer’s Intervenor Compensation Claim); or (c) the NOI has included a claim of “significant financial hardship” that requires a finding under § 1802(g).

4. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	<input type="checkbox"/>
5. Additional guidance is provided to the customer as set forth above.	<input type="checkbox"/>

Dated \_\_\_\_\_, at San Francisco, California.

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Administrative Law Judge